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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,825	05/25/2000	Elof Frank	MERO0001	9664

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GLENN PATENT GROUP
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MENLO PARK, CA 94025

EXAMINER

DIMYAN, MAGID Y

ART UNIT

PAPER NUMBER

2825

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/579,825

Applicant(s)

FRANK ET AL.

Examiner

Magid Y Dimyan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4 and 7-10 is/are rejected.
- 7) ☒ Claim(s) 5,6 and 11-31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Acknowledgement

Receipt is acknowledged of the Pre-Amendment, filed July 8, 2003. The Applicants have elected to cancel claim 1 because of restriction requirements, and amended claims 2 and 3 in order to convert them into independent claims.

Claim Objections

1. Claim 31 is objected to because of the following informalities: a more detailed explanation and definition of the "procedure" mentioned in the claim in the fourth line is required, such as "a recursive procedure", etc. Also, all the variables referred to in the claim (such as T, PAM(c), P, MAP(A), cct, etc) have to be defined and described in the claim. Furthermore, all claims should end with a period ("."). Appropriate correction is required.

2. Claims 29 and 30 are objected to because of the following informalities: the symbols MAP and MAP(c) referred to in the claims are not described or defined in these claims. Appropriate correction is required.

Double Patenting

3. Claim 2 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 2 of U.S. Patent No. 6,470,486 to Knapp, in view of U.S. Patent No. 5,878,408 to Van Huben et al (hereafter, Van Huben). All the limitations of this claim are recited in claim 2 of Knapp (U.S. Patent No. 6,470,486) except for the pay-per-use application as well as the use of an Internet Website. The Internet is commonly used in numerous similar applications, and Van Huben teaches using the Internet and other such networks (such as LAN) in a Design Control System (DCS) suitable for use in connection with the design of integrated circuits (see Figs. 1, 9, 15a; column 9, line 24 to column 10, line 19; column 27, lines 50 – 60). Furthermore, the disclosure teaches how the Data Manager can control the authority for the designers and other users (i.e., pay-per-use can obviously be implementable). See Figs. 6, 7a; column 23, lines 5 – 37. Thus, the obviousness-type double patenting has been established.

4. Claims 3 and 7 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,516,453

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to Knapp, in view of Van Huben. All the limitations of these claims are recited in claim 1 of Knapp (U.S. Patent No. 6,516,453) except for the pay-per-use application as well as the use of an Internet Website. For a recital of reasons of obviousness, see (3) above. The same limitations of pay-per-use and the use of the Internet apply, and thus obviousness-type double patenting rejection applies herein.

5. Claims 4 and 8 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2 and 3, respectively, of U.S. Patent No. 6,516,453 to Knapp, in view of Van Huben. See (4) above.

6. Claim 9 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,516,453 to Knapp, and claim 1 of U.S. Patent No. 6,470,486 to Knapp, in view of Van Huben. The same limitations for obviousness-type double patenting are recited in (4) above.

7. Claim 10 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,516,453 to Knapp, and claim 2 of U.S. Patent No. 6,470,486 to Knapp, in view of Van Huben. The same limitations for obviousness-type double patenting are recited in (4) above.

Allowable Subject Matter

8. Claims 5, 6, 10 and 11 – 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: these claims pertain to the business-to-business application service provider cited above that includes (a) copying capacitive loads values and load/delay response curves of a logic tree to simplified tree; (b) technology mapping and high-level synthesis techniques; (c) using control-flow graphs to construct one-hot-bit Finite State Machines (FSMs); (d) methods of reducing parse trees; and (e) various software claims related to constructing the one-hot-bit FSMs. None of the references of record teach the inventions claimed herein.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magid Y Dimyan whose telephone number is (703) 308-1354. The examiner can normally be reached on Monday - Friday 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S Smith can be reached on (703) 308-1323. The fax phone

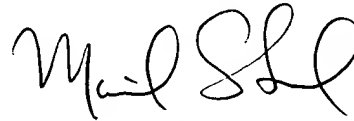
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numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Magid Y Dimyan
Examiner
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myd
August 14, 2003

A handwritten signature in black ink, appearing to read 'Matthew Smith', written in a cursive style.

MATTHEW SMITH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800